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PATENT

certify that on 6/3/03, which is the date I am signing this certificate, this correspondence and all attachments mentioned are being deposited in the United States Postal Service as first class in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Craig A. Slavin

**Applicant:** Swanson

**Serial No.:** 09/761,981

**Filing Date:** January 17, 2001

**Title:** Fluid Cooled Apparatus For Supporting Diagnostic And Therapeutic Elements In Contact With Tissue

**Group Art Unit:** 3739

**Examiner:** Vrettakos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUN 16 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECHNOLOGY CENTER R3700

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING**

**REJECTION (37 CFR §1.321(b))**

Sir:

I, Craig A. Slavin, represent that I am an attorney of record in the present application and that I am authorized to sign on behalf of the assignee, SCIMED LIFE SYSTEMS, INC., the owner of all of the interest in the above-identified application. I hereby certify that all statements made herein are made by and for the assignee, SCIMED LIFE SYSTEMS, INC. The assignment was recorded on January 17, 2001, on Reel 011482, Frame 0779.

SCIMED LIFE SYSTEMS, INC. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory period of any United States Patent granted on U.S. Application Serial No. 09/652,099, as presently shortened by any terminal disclaimer, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any United States Patent granted on U.S. Application Serial No. 09/652,099, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

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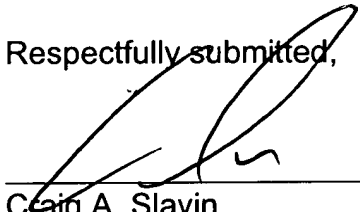
SCIMED LIFE SYSTEMS, INC. does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of any United States Patent granted on U.S. Application Serial No. 09/652,099, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer.

A check in the sum of \$110.00 (37 CFR §1.20(d)) is submitted herewith. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0638. Should such fees be associated with an extension of time, applicant respectfully requests that this paper be considered a petition therefor.

6/3/07  
Date

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Respectfully submitted,

  
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